

July 24, 2008

Mr. Kirkpatrick called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Mazza, Mr. Bischoff, Mr. Martin, Mr. Taibi, Mr. Badenhausen, Mrs. Corcoran, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Walchuk, Mr. Ryland

Others Present: Atty. Mark Anderson, Michael Kurt

Memorialization or Resolutions: Petri: Block 15, Lot 8 and 8.01, 25 Stonehaven Lane: Mr. Kirkpatrick announced that the Resolution would not be memorialized tonight. It will be placed on the September 2, 2008 Workshop agenda.

Case: Block 17, Lot 2, Lakeview Lane: Memorialization of Resolution Granting Extension of Approval: Mrs. Corcoran made a motion to memorialize the Resolution. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Badenhausen, Mr. Mazza, Mr. Bischoff, Mr. Martin, Mr. Taibi, Mr. Kirkpatrick

Abstain: Mr. Ford

Correspondence: Perryville Wine & Spirits: Block 12, Lot 8.04, 72 State Highway 173 West; Fallone Properties: Block 22, Lot 34, Perryville Road; Kennedy: Block 5, Lot 17.05, 224 Van Syckel's Road; HCPB Breakfast Talk: The Correspondence was provided for the Board's information.

Comments from the Public/Other Discussion: Michael Kurt, whose mother is the owner of Block 17, Lots 14 & 18, voiced his concern about the taxes she is paying. The property is undeveloped, is in the Highlands Preservation Area and landlocked by properties owned by Lawrence Frace. Mr. Kurt said they are unable to harvest wood because of a lack of access to the property. Mr. Kirkpatrick told Mr. Kurt that the Courts act favorably toward property owners who are in a landlocked situation. Mr. Kirkpatrick told of his own experience when he moved to the Township and said there is a remedy through the Court. Mr. Kurt thanked Mr. Kirkpatrick for the information.

Mr. Kirkpatrick asked for a motion to close the Public Session and go into Executive Session to discuss the Pilot Litigation. Mr. Ford made the motion. It was seconded by Mr. Bischoff. (7:20 p.m.)

Vote: All Ayes, No Nays, Motion Carried

A Resolution providing for a meeting Not Open to the Public in Accordance with the revisions of the N.J.S.A. 10:A-4-12.

WHEREAS, the Planning Board of the Township of Union is subject to the Open Public Meetings Act, N.J.S.A.10: A-4-6, et Seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:A-4-12, provides that an Executive Session, not open to the Public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Planning Board of the Township of Union, assembled in public session on July 24, 2008, in the Union Township Municipal Building, 140 Perryville Road, Hampton, NJ 08827, for the discussion of matters relating to the specific items designated above.

It is anticipated the deliberations conducted in closed session may be disclosed to the public upon determination by the Planning Board that the public interest will no longer be served by such confidentiality.

The Executive Session ended at 8:35 p.m.

Mrs. Corcoran made a motion to return to the regular session. Mr. Mazza seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Mr. Kirkpatrick asked for other comments. Mayor Mazza reported that he and Mrs. Dziubeck had attended a meeting on July 19th, 2008 about the Raritan Valley Transit Study. Mr. Mazza said a 300-stall parking lot and a pedestrian overpass had been proposed in Union Township. He will update the Board as more information becomes available.

Approval of Minutes: Mr. Ford made a motion to approve the minutes of the June 26, 2008 meeting. Mrs. Corcoran seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Mr. Taibi had comments on the June 26, 2008 Executive Session minutes. Mr. Kirkpatrick asked for a motion to go into Executive Session to discuss the minutes. Mr. Mazza made the motion. Mrs. Corcoran seconded the motion. (8:50 p.m.)

Vote: All Ayes, No Nays, Motion Carried

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The Executive Session ended at 8:52 p.m.

Mr. Bischoff made a motion to return to the regular session. Mrs. Corcoran seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Approval of Minutes: Mr. Bischoff made a motion to approve the minutes of the July 24, 2008 Executive Session, as amended. Mrs. Corcoran seconded the motion.

Vote: Ayes: Mr. Bischoff, Mrs. Corcoran, Mr. Mazza, Mr. Martin, Mr. Taibi.
Mr. Badenhausen, Mr. Ford, Mr. Kirkpatrick

Other Business: Mr. Taibi mentioned the foliage covered yield sign at Exit 13 and the associated imminent danger. Mrs. Corcoran concurred with Mr. Taibi's concerns.

Motion to Adjourn: Mr. Mazza made a motion to adjourn. Mr. Bischoff seconded the motion. (8:55 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary